UCLA Faculty Association

News and opinion from Dan Mitchell since 2009

Monday, June 17, 2024

New Effort on TMT



As blog readers will know, from time to time we look in on the Hawaiian telescope project (TMT) of which UC is a part. Apparently, a new face has been brought in to deal with the stalled project. From Hawaii News Now:

It's been five years since thousands of protesters blocked the start of construction of the Thirty Meter Telescope planned near the summit of Mauna Kea. Now, a different management team is trying a different approach to try to move the telescope forward. "On behalf of my organization, I want to start by apologizing for causing all the divisions in the community," said TMT Project Manager Fengchuan Liu as he began an interview with Hawaii News Now.

Liu moved to Hilo three years ago to join a team that's trying to repair the project's public relations. "We're really trying to go back to square zero, to listen and learn, to respect the people, the aina, the history, and really trying to build long term trust and relationships with the community," Liu said. "This is not a short-term PR move."

To connect with Native Hawaiians, TMT management has been holding meetings in rural areas, conducting teacher workshops and running programs on stargazing and reforestation. "A lot of our programs have been community-based," said TMT Community Adviser Keoki Kai. "Not education, but also vocational learning in the future."

"In fact, several of our advisors are ki'ai (protectors) leaders and Hawaiian cultural practitioners," said TMT Education, Outreach and Broader Impacts Manager and Scientist Yuko

The Council of UC Faculty Associations

- FAQs for Senate Faculty about Possible Strike by UAW May 2024
- CUCFA Statement On Campus Protests
- We Support BOARS Math Requirements Recommendation
- Support AB-2349 – The Cal-Bridge Program
- Drop the Charges Against January Regents' Meeting Protestors

Remaking the University

- The Authoritarian Personality Comes to College - 5/2/2024
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Kakazu. "It's not going to work," said Hawaiian activist Healani Sonoda-Pale. "I think Hawaiians have dug in their heels."

The effort is coming as TMT is trying to get the National Science Foundation to fund half of the current $3 billion cost of the telescope. "If we can stop the National Science Foundation funding, if we can put a roadblock on that, then I think it will send a real clear message that this project is really done," said Sonoda-Pale...

Full story at https://www.hawaiinewsnow.com/2024/06/13/new-tmt-team-changes-approach-get-community-support-is-it-too-late-telescope/.

Posted by California Policy Issues at 5:00 AM No comments:



Labels: UC

Sunday, June 16, 2024

Jonathan



Photographed at an unidentified Jonathan Club event in the early 1950s, University of California Regent Edward A. Dickson, second from left, and UCLA Chancellor Raymond Allen, third from left, stand with two unidentified men.

SFGATE carries an article about the exclusive Jonathan Club in downtown LA. (You can take the word "exclusive" to mean exclusion for much of its history.) And it has this tidbit:

...Another LA institution was born at the Jonathan Club in 1917 when Edward A. Dickson, who was on the Board of Regents of the University of California, met with the president of what was

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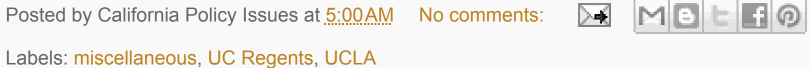
- American Association of University Professors
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then the Los Angeles State Normal School, Ernest C. Moore, at the Jonathan Club. Over lunch there, Dickson pitched Moore an idea: To have his school become the Southern California arm of the University of California, which had campuses in Davis and Berkeley at the time. The public university would help to bring more people west of downtown LA, and would compete directly with the private University of Southern California...

Full story at https://www.sfgate.com/la/article/members-only-club-that-changed-southern-california-19475383.php.

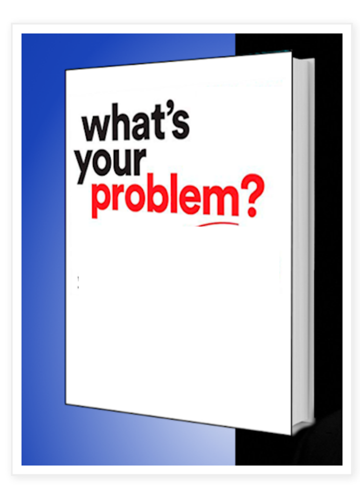


Posted by California Policy Issues at 5:00 AM No comments:

Labels: miscellaneous, UC Regents, UCLA

Saturday, June 15, 2024

What's Your Problem?



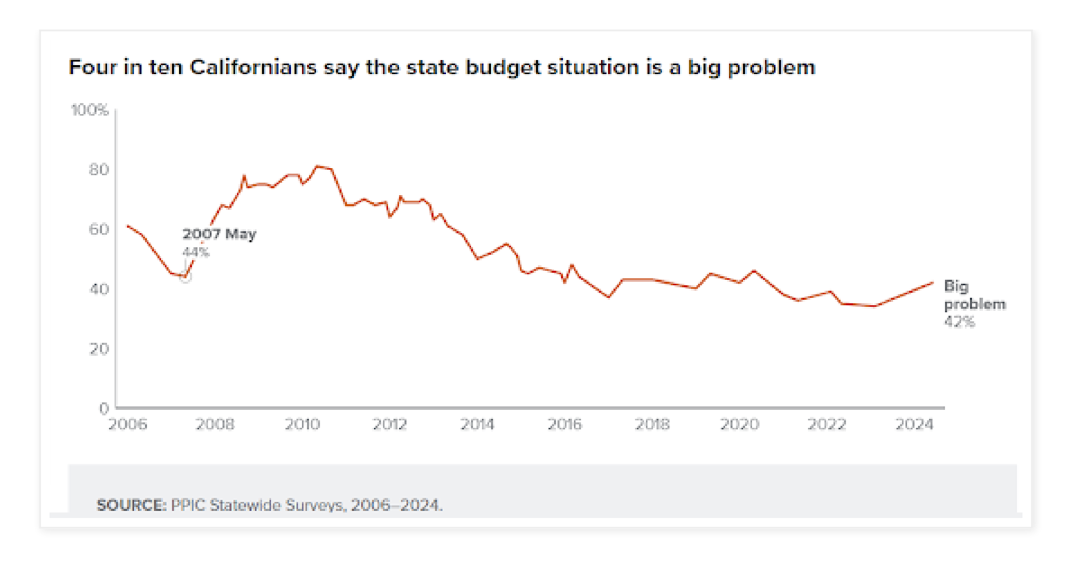
The latest PPIC poll is out. It asks about state "problems" as seen by Californians. Thirty-six percent reference general economic issues (cost of living, inflation, etc.) as a top problem; 19% reference housing (costs, availability), 13% reference homelessness, 9% reference crime and drugs, and 5% grumble about "government" in general. If you thought surely there would be a lot of attention paid to campus unrest or even plain old college affordability, you would be mistaken. Those issues don't show up as national problems, either.

You might expect that the state budget would be seen as a big problem when respondents were explicitly asked about it. There has been an uptick in concern about the budget as the chart below shows. Forty-four see it as a big problem. But it might be noted that level is comparable to the response before the Great Recession, i.e., before the budget really became a big problem.

propositions (132) faculty center (132) controller (128) UC-Riverside (126) UC-San Francisco (126) CalPERS (120) Master Plan (99) faculty pay (99) UC-Merced (96) Yudof (89) UCRS retirement (60) privatization (59) parking (57) Faculty Association at UCLA (56) CalSTRS (50) UC Berkeley (32) campus climate survey (28) copyright (25) UCRS (21) Michigan Model (18) UC Merced (17) uc funding (16) State Contribution (14) UCOF (14) Regents (13) faculty recruitment (12) UC pay (7) graduate education (6) UC San Diego (5) UCpolitics (3) teaching evaluation (3) UC Irvine (2) UC Santa Cruz (2)

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It's good to keep in mind that the issues of major concern to UC aren't necessarily top issues for most folks.

The latest PPIC poll is at https://www.ppic.org/publication/ppic-statewide-survey-californians-and-their-government-june-2024/.

Posted by California Policy Issues at 10:05 AM No comments:

Labels: politics, State Budget, UC budget crisis

State Auditor Wants Clarity on UC Online Extension Courses



Yours truly stumbled upon a recent report by the State Auditor pointing to deficiencies in UC extension contracting for online courses from outside sources.

Summary

Online courses and programs have become increasingly common in higher education. Many colleges work with third-party vendors known as online program managers (OPMs), which assist in the development and implementation of online programs. OPMs generally provide instruction and support services, such as marketing, recruiting, course development, and technology-related support. In this audit, we examined the

▶ 2012 (839)
▶ 2011 (738)
▶ 2010 (431)
▶ 2009 (12)

Contributors

- California Policy Issues
- Toby Higbie
- UCLA Faculty Association

University of California's (UC) use of OPMs at five campuses—University of California, Berkeley (UC Berkeley); University of California, Davis (UC Davis); University of California, Los Angeles (UCLA); University of California, San Diego (UC San Diego); and University of California, Santa Barbara (UC Santa Barbara)—and drew the following conclusions:

UC Uses OPMs to Teach Students in Some Nondegree Programs but Is Not Always Transparent About Doing So

We identified 51 UC contracts with OPMs that were in effect as of January 1, 2023, none of which involved undergraduate education. Of those contracts, 30 were with the five campuses we selected for further review, and 10 of those 30 related to graduate education. However, these 10 contracts involved support services rather than instruction. Of the 30 contracts we reviewed, 15 related to continuing education, which UC provides through extension units that are associated with campuses but that operate independently. Under the terms of these 15 contracts, OPMs were responsible for providing instruction. However, at the five UC campuses we selected to review, we found that the campuses provided potential students with incomplete or misleading information about the OPMs' involvement in certain extension unit programs. Further, the recruitment materials for one or more programs at each campus may have misled potential students about the industry value of some UC cobranded programs offered in conjunction with OPMs.

UC Extension Units Have Not Provided Consistent Oversight of OPM Instruction

Because most campuses did not consistently adhere to their course-approval processes or administer or examine student course evaluations for the OPM-instructed courses we reviewed, they may lack adequate assurance that students are receiving satisfactory education from qualified instructors. Each of the extension units at the five campuses we reviewed have adopted processes for approving OPM-provided courses, instructors, or both. These processes generally align with UC Academic Senate regulations. However, in contrast to the other four extension units, UC Santa Barbara Professional and Continuing Education (Santa Barbara Extension) does not have a process to approve OPM instructors, increasing the risk that those instructors may not be adequately qualified. Further, the extension units for UC Berkeley, UCLA, and UC San Diego did not consistently follow each step of their course and instructor approval processes and thus may also lack assurance that OPM instructors are adequately qualified. Compounding these weaknesses in oversight, the extension units for UCLA and UC Santa Barbara have not consistently performed or reviewed student course evaluations to monitor the quality of OPM instruction. These campuses may be overlooking information that could help to ensure that their OPM courses and instructors are effective.

Campuses Lack Certain Guidance From the Office of the President on Contracting With OPMs

The five campuses' contracts with OPMs largely aligned with federal law and guidance on incentive compensation. However, some of the contracts included payment terms, such as tuition revenue sharing, that may elevate the risk of OPMs using practices to recruit and enroll students that are not in the best interests of students. In addition, we identified several

instances in which campuses outsourced key services to an OPM, despite best practices stating that those services should not be outsourced...

Full report at https://www.auditor.ca.gov/reports/2023-106/.

The report deals with three issues:

- UC Uses OPMs to Teach Students in Some Nondegree Programs but Is Not Always Transparent About Doing So
- UC Extension Units Have Not Provided Consistent Oversight of OPM Instruction
- Campuses Lack Certain Guidance From the Office of the President on Contracting With OPMs

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The report does not deal with online education in degree programs. As blog readers may recall, UC has a history of rocky relations with the Auditor. Examples:

https://uclafacultyassociation.blogspot.com/2020/09/state-auditor-faults-uc-admissions.html; https://uclafacultyassociation.blogspot.com/2017/12/calm-and-sane-response-to-audit.html.

Posted by California Policy Issues at 5:00 AM No comments:   

Labels: UC, UCOP

Friday, June 14, 2024

There STILL is a way



As blog readers will know, yours truly has suggested ways of settling the now-suspended student-worker strike that avoid the legalism/Grand Principles approach which ends up leaving it to PERB and the courts.* No one really knows what the outcome of the legalism approach will be. It is noteworthy that the UAW, while protesting that the decision was illegitimate, has not appealed the court decision that put a temporary restraining order in place.

Letting PERB decide may seem attractive at the moment, but as we have noted, PERB could easily muddy the waters from the viewpoint of other side in the dispute. And there could be appeals within the PERB process and beyond.

From the viewpoint of the UAW, there are risks entailed in just leaving the legal process to roll along. Should PERB decide in favor of UC's administration, i.e., that the strike violated the no-



strike clauses, there could be monetary damages. The LA Times yesterday reported on a situation in which a nurses' union was ordered to pay damages of over $6 million to a Riverside hospital for a strike ruled to violate a no-strike agreement.** While it is unlikely that damages of that magnitude could result from a ruling adverse to the union in the UC case, the nurses' outcome is at least a warning signal.

Yours truly has no inside knowledge about what UC administration is thinking. But he suspects that UC mainly wants assurances that the grievance and arbitration system will be the route for dispute settlement while contracts are in place, and that political issues won't become interwined with labor relations in the future. That's the kind of deal that might be hard to enforce in a legalistic way, but that good faith discussions and relationships can handle. Mediation can be helpful in getting to such a situation. But it works only if there is willingness on both sides to change the way they are doing business. Is there?

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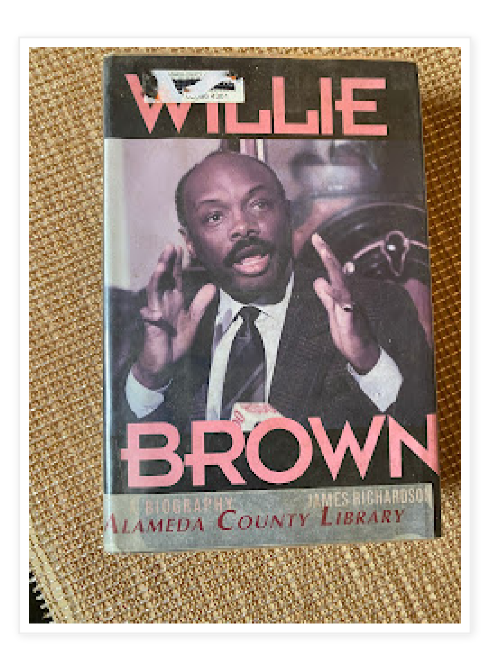
*https://uclafacultyassociation.blogspot.com/2024/06/there-is-way-to-settle-current-strike.html.

**https://www.latimes.com/business/story/2024-06-13/union-ordered-to-pay-hca-healthcare-6-26-million-in-strike-damages.

Posted by California Policy Issues at 8:11 AM No comments:

Labels: strikes, UC

Some History



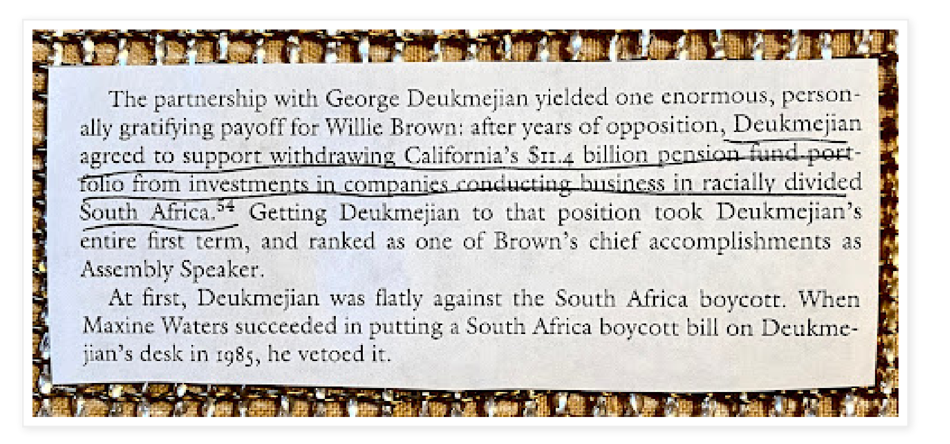
Yours truly came across a used book he had on the shelf, "Willie Brown: A Biography," by James Richardson (U of California Press, 1996). For those who don't know the name, Willie Brown was a powerful speaker of the state assembly in the 1980s and early 1990s. He later was mayor of San Francisco.

Back in the 1980s, Governor George Deukmejian, a Republican, needed the support of Democrat Willie Brown to pass state budgets and other legislation. Although there was more bipartisanship in those days than now, the two men had little in common, either in personal background or political outlook. But they nonetheless had to get along.

Willie Brown in the 1980s backed UC financial divestment from South Africa. Deukmejian initially

was opposed. It should be noted that the idea of academic boycott, as opposed to a financial action, was never an issue. If you have any doubt, check the UCLA library and you will find South African academic journals to which the library subscribed. Moreover, an academic boycott would have prevented dissidents from South Africa from visiting UC, as some did.

The Brown biography tells the story of the eventual UC divestment, which differs from the way the tale has been told more recently. I reproduce the relevant material from the book below (pp. 311-313). The actual story is somewhat different than some now imagine. Basically, Brown pressured Deukmejian who pressured a reluctant Regents and UC president:



The partnership with George Deukmejian yielded one enormous, personally gratifying payoff for Willie Brown: after years of opposition, Deukmejian agreed to support withdrawing California's $11.4 billion pension fund portfolio from investments in companies conducting business in racially divided South Africa.[54] Getting Deukmejian to that position took Deukmejian's entire first term, and ranked as one of Brown's chief accomplishments as Assembly Speaker.

At first, Deukmejian was flatly against the South Africa boycott. When Maxine Waters succeeded in putting a South Africa boycott bill on Deukmejian's desk in 1985, he vetoed it.

After the veto, the battleground over investments in South Africa switched to the University of California, which had $2.4 billion of its $6.4 billion portfolio invested in companies with ties to South Africa. The stodgy Board of Regents, led by UC President David Gardner, was reluctant to withdraw the investments, fearful it would endanger the university's financial health. The board and Gardner came under intense pressure from legislators and protesters. Then Willie Brown entered the fray. When the university's imperious president came to testify at a May 1985 legislative hearing, he was interrogated by the Assembly Speaker for nearly an hour.[55]

"Now, Dr. Gardner," Brown began, "we are very concerned by the university's attitude. Specifically, I want one scintilla of evidence that the atrocities of the South African regime present a problem to you personally, not as president of the University, but as a human being."

Gardner replied that, as a Mormon, he was familiar with discrimination. He told how his grandfather was driven to Utah by religious bigots. But Gardner maintained that the university could not take moral stands.

"I abhor oppression," said Gardner, "but I don't choose to advertise it."

Brown found the answer unsatisfactory.

"You can end discrimination against you by changing your religion. Blacks in South Africa cannot," Brown shot back. "Willie Brown cannot change his skin as he could his religion. There are no Utahs for Bishop Tutu."

Brown also went to work convincing Deukmejian that it was morally imperative for California to keep its money from supporting apartheid. Brown appealed to Deukmejian's Armenian heritage and the oppression suffered by his relatives at the hands of Turks. Brown used one more argument: it was good politics. The city of Los Angeles had enacted a South

Africa investment boycott ordinance, and Mayor Bradley was preparing to bludgeon Deukmejian with it in their 1986 rematch. Brown told Deukmejian that he did not have to take the chance.

Finally Deukmejian became a convert. He began throwing his weight behind the push to pull the University of California's investments out of South Africa. The governor even offered to lobby Congress and President Reagan, who had vetoed a boycott bill.[54] The showdown came at a Regents meeting at UC Santa Cruz in July 1986. Faced with a united front from Deukmejian and Brown, the board voted to become the first major institutional investor in California to join the South African boycott.

Taking advantage of the political momentum, a new bill was prepared to pull the state's huge pension fund from South Africa.[57] With Maxine Waters still as the official author, the bill reached the Assembly floor in August 1986. As television cameras lined both walls of the chamber, Assembly members sat in unaccustomed silence and listened to the debate. The usual joking and jibing were put aside. Every member seemed to sense it was a rare moment. The debate over AB 134 surged for three hours, and the speeches were passionate on both sides.

Willie Brown spoke last, and as he raised the microphone at his desk signaling he was ready to speak, sergeants-at-arms scurried to close the doors. They need not have bothered; the chamber fell silent and no one moved. Brown gave one of the most emotional speeches of his career, and as his voice rose, he stood on his toes. He finished with a tribute to George Deukmejian:

"It takes a big man to recognize that circumstances and information should now dictate a different decision."

The bill was approved 50-26, with four Republicans joining all but one of the Democrats.

A month later, as a tribute to the Speaker of the California Assembly, Governor Deukmejian signed the South Africa bill in the city of San Francisco. As Waters and Brown looked on, Deukmejian condemned South Africa for its "racism and brutal oppression." Then he put his pen to the bill. Those close to Deukmejian later said he never would have signed a South Africa boycott bill but for Brown's intervention.

Four years later, as apartheid was crumbling in South Africa, newly freed black leader Nelson Mandela visited the San Francisco Bay Area.[58] Speaking to fifty-eight thousand people in the Oakland Coliseum, Mandela paid a special tribute to those who had put pressure on the white government of his nation. He said the investment boycott was a vital weapon helping to bring down the system of racial oppression in his country. "We also salute the state of California for having such a powerful principled stance," he declared.

Willie Brown stood nearby that evening and smiled.

(Apologies for the crude reproduction of the text. The markings on the page were not made by yours truly.)

Posted by California Policy Issues at 5:00 AM No comments:

Labels: diversity, governor, legislature, pension, politics

Thursday, June 13, 2024

New UCLA Chancellor: Julio Frenk - Part 2



We noted yesterday the appointment of Julio Frenk as UCLA chancellor effective January 2025. We will later review the other components of the meeting, originally scheduled as just the Health Services Committee. But below is a link to the remarks of the incoming chancellor at the Regents meeting:



Or direct to https://www.youtube.com/watch?v=Cg0h0qkWFMM.

Posted by California Policy Issues at 8:10 AM No comments:

Labels: UC Regents, UCLA

The Legislature's Budget



We are coming to the point where the legislature must enact something it calls a state budget for 2024-25. Generally, because of Democratic dominance in the legislature, the legislative leaders make a deal with the governor that looks something like the May Revise but features compromises that tilt toward legislative desires.

As we noted in a prior posting, the legislature is more of a mind to keep the UC compact with the governor than the governor is. We will have to see how that works out. But the table below shows where the legisature currently is at a macro level compared with the May Revise.

$millions	May Revise 2023-24	May Revise 2024-25	Legislature 2023-24	Legislature 2024-25
Balance GF-Start	$ 46,260.0	$ 9,726.7	$ 46,219.0	$ 13,766.1
Revenue & Transfers	$ 189,354.2	$ 205,248.7	$ 189,318.2	$ 211,792.4
Expenditures	$ 225,887.5	$ 200,974.2	$ 221,771.1	$ 211,329.3
GF Surplus or Deficit	$ (36,533.3)	$ 4,274.5	$ (32,452.9)	$ 463.1
Balance GF-End	$ 9,726.7	$ 14,001.2	$ 13,766.1	$ 14,229.3
Safety Net	$ 900.0	$ -	$ 900.0	$ 450.0
BSA (rainy day)	$ 22,555.0	$ 19,429.0	$ 22,640.0	$ 18,014.0
Public School	$ 2,589.8	$ -	$ -	$ 1,054.0
Total Reserves	$ 35,771.5	$ 33,430.2	$ 37,306.1	$ 33,747.3
Total Surplus or Deficit		$ (2,341.30)		$ (3,558.80)
Source: https://jasonsisney.substack.com/p/three-legislative-budget-bills-now				

Basically the legislature is assuming we will spend somewhat less than the governor estimates in the May Revise in the current year and that there will be somewhat more revenue next year.

Even so, when we look at the total change in all reserves related to the General Fund, the deficit proposed by the legislature is somewhat bigger than the governor's.

Note that all these figures are estimates and forecasts.

Posted by California Policy Issues at 5:00 AM No comments:

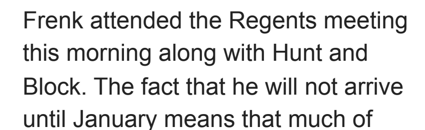
Labels: governor, legislature, politics, State Budget, UC budget crisis

Wednesday, June 12, 2024

New UCLA Chancellor: Julio Frenk



Julio Frenk, currently president of the University of Miami, has been chosen as the next UCLA chancellor, to take office in January 2025. EVC Darnell Hunt will serve as interim chancellor after Gene Block retires at the end of July.



Frenk attended the Regents meeting this morning along with Hunt and Block. The fact that he will not arrive until January means that much of the current controversies at UCLA will be dealt with by Hunt. There is no particular reason to believe that current policies regarding policing, etc., as administered by AVC Braziel will be altered in that period.

In his remarks to the Board after the appointment, Frenk made only passing reference to an erosion of trust in higher ed and did not speak directly about recent demonstrations. He referred to UCLA's contributions to the City of LA, social mobility, research, health care, athletics, and arts and culture. Hunt's remarks did refer to UCLA having a difficult period, but did not go into more detail. Block made no remarks.

Frenk will receive a base salary of $978,000 of which $250,000 will come from non-state funds, presumably donations. He will also receive a hiring bonus of $195,000. Hunt will receive $700,000.

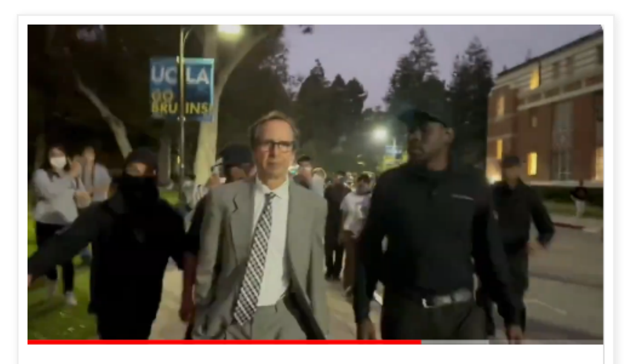
Frenk's Wikipedia bio can be found at https://en.wikipedia.org/wiki/Julio_Frenk.

Official UCLA news release is at https://newsroom.ucla.edu/releases/ucla-names-new-chancellor-2024.

Posted by California Policy Issues at 10:32 AM No comments:  

Labels: UC Regents, UCLA

Things to Come



UCLA: 3rd Attempted Encampment/Protest, June 10, 2024

Given the demonstrations on Monday, it seems unlikely that the Regents meeting today will emerge unscathed. And the same can be said for graduation on Friday.

The new UCLA chancellor, whoever that is, is due to be unveiled at the Regents meeting. Since an interim chancellor is also scheduled to be unveiled, the new person presumably will not be taking over immediately after Chancellor Block retires on July 31st. But unless there is a long interval with an interim chancellor, the new permanent chancellor will have to hit the ground running. There won't be much time to work out the parameters of policy with regard to demonstrations, academic freedom, policing, etc. Current policy is essentially embedded in a statement put out Tuesday by AVC Braziel:

Dear Bruin Community:

I write to share an update on demonstration activity on campus yesterday, which resulted in violence, destruction of property and the blocking of student access to parts of campus.

This was completely unacceptable. The demonstration activity disregarded our values as a community, violated our campus policies and broke the law. These actions injured people, threatened the safety of our community and vandalized our campus. These actions also prevented students from completing their final exams.

At around 3:15 p.m., activity started at the top of the steps leading to Royce Quad, where a group of people dyed the water in Shapiro Fountain red, used water-filled barriers and chicken wire to block the area, used amplified sound, and set up tents and canopies. When this group of individuals was told to disperse, they moved to Kerckhoff patio carrying wooden shields. At Kerckhoff patio, the group proceeded to vandalize property with permanent red paint and erected barriers that blocked students and the public from accessing that part of campus. At the same time, another group at Moore Hall disrupted final exams.

When the group on Kerckhoff patio was told to disperse, they moved to an area near Dodd Hall. This resulted in some students having to miss finals because they were blocked from entering classrooms. Additionally, some students had to be evacuated in the middle of taking their final exams.

Throughout the evening, there were also violent attacks on safety personnel and law enforcement, resulting in at least six injuries to UCPD personnel and other safety officers. One security guard was left with his head bleeding after he was struck with an object. Simply put, these acts of non-peaceful protest are abhorrent and cannot continue.

During these events, 27 individuals were arrested. We are still determining which arrestees are not members of the UCLA community. Students who were arrested will be subject to disciplinary actions based on UCOP guidance, which could include a campus exclusion that will prevent them from being on campus to take finals or participate in commencement ceremonies.

UCLA is firmly committed to protecting the free expression rights of everyone in our community, regardless of their views, as long as demonstrations are peaceful and follow guidelines for the appropriate time, place and manner for campus demonstrations. Yesterday's protest was not peaceful. These guidelines support advocacy that does not jeopardize safety or disrupt university operations.

Disruptions and protests are expected at various locations on campus through the end of our commencement ceremonies. Rights to free expression will be protected, but we will not tolerate violence. Protecting UCLA faculty, staff, students and visitors and creating an environment conducive to teaching, learning, working and living continues to be our priority. The campus community belongs to all of us and we must model the respect we expect to receive from others.

Sincerely,

Rick Braziel

Associate Vice Chancellor for Campus Safety

Source: https://newsroom.ucla.edu/condemning-mondays-violence-on-campus.

Will the Braziel approach be continued under the new regime? (As we have noted, the new approach seems to follow the policy proposed by the now-suspended police chief.)

Even if the Israel-Gaza War comes to an end soon, there will still be remaining issues from that conflict. And there is a presidential election coming up in the fall.

A compilation of social media videos of the events of Monday can be seen at the link below:





Or direct to https://www.youtube.com/watch?v=ggNHGKvpA2I.

It is noteworthy that, at least on the various videos gathered from social media of Monday's events, union picket signs were not in evidence. As we have noted in prior postings, although in the period before the strike was temporarily halted by a court decision, the apparently off-script intertwining of the strike and Israel-Gaza War issues tended to undermine the union's position that the student-worker strike was employment-related. At least at UCLA, perhaps following legal advice, the separation of the two was made on Monday. As of Tuesday, despite learned statements about the illegality of the court order, nothing has been said about filing an appeal.

As we noted on Sunday, if and when the parties decide to drop the legalistic approach involving courts and PERB, there is a way to settle the dispute: https://uclafacultyassociation.blogspot.com/2024/06/there-is-way-to-settle-current-strike.html.

Posted by California Policy Issues at 5:00 AM No comments:  

Labels: academic freedom, UC Regents, UCLA

Tuesday, June 11, 2024

Another All Purpose Invitation

Greetings,

We are currently organizing a lecture series aimed at students in universities and researchers in institutions. The lectures cover a range of topics from general academic discussions to specific research areas. Based on your expertise and experience, I would like to invite you to be a guest speaker and give a lecture to our audience.

We host guest lectures throughout the academic year, both in-person on Asian campus as well as online webinars through video conferencing. In appreciation of your time and contribution, we offer an honorarium for each lecture delivered, and for an in-person lectures, we would handle all logistics including travel arrangements and accommodations.

Our students and researchers would greatly benefit from learning about your experiences and insights.
Please let me know if you would be interested in delivering a guest lecture. We would be happy to discuss the proposals that work with your interests and schedule.

I look forward to hearing from you. Thank you for considering this invitation.

Best regards,

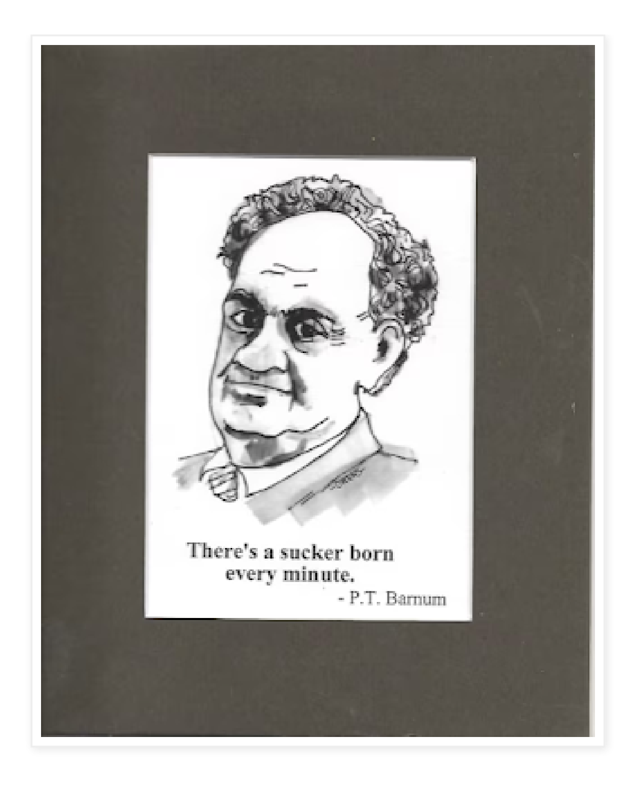
Fukatsu Eri

Another generic invitation to yours truly to give a talk about anything - the topic doesn't seem to matter - has arrived.* This one has apparently been circulating for several years, a quick web search reveals. The text varies a bit from sending to sending and the name at the bottom changes from invitation to invitation.

This particular invitation comes from

asianspeech.d@bruno919.info.

But academics around the world have received it from other email addresses.



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*https://uclafacultyassociation.blogspot.com/2024/05/all-purpose-conference.html.

Posted by California Policy Issues at 7:56 AM No comments:

Labels: email fraud

More on Has the Worm Turned on Medicare Advantage



In an earlier post, we noted that Medicare Advantage plans - a form of privatized Medicare - now cover over half of the Medicare population (seniors and disabled) in the U.S. but that the growth in coverage seemed related to overpayment for the coverage by the feds.* There have in fact been several news articles over the years pointing to this situation. Because of the incentives provided by the overpayment, private insurers promote these plans through TV ads

and other means. Typically, the plans have special features to invite participation such as gym memberships. More recently, the feds seems to be catching on to the overpayment.

The problem with these privatized plans involves the turning over of determination of eligibility for treatments to private insurers and the narrow networks the plans offer. In theory, the plans are supposed to offer whatever traditional Medicare does. But participants may have to jump through hoops to get treatment and may find the narrow networks and the limited providers in them to be a problem. Until someone has a major illness, these limitations may not be apparent.

Fortune now has an article indicating that it is not just participants that have responded to the incentives to move to Medicare Advantage. Employers who offer subsidized retiree healthcare in some cases make Medicare Advantage the only option.

Usually, after age 65, you have two Medicare options: traditional Medicare (Parts A, B, and D, and often a Medigap plan) or a private health insurer's Medicare Advantage plan, also called Part C. But increasingly, people with retiree health benefits from their former employers aren't given that choice. Instead, they're told they can enroll only in a Medicare Advantage plan, with its limited network of doctors and hospitals, even if they would prefer going with the less restrictive traditional Medicare.

Reject the Medicare Advantage plan, they're told, and they'll lose their retiree health benefits, sometimes in perpetuity. "It's a lot to ask someone potentially to consider giving up their retiree benefits," says Meredith Freed, a senior policy manager with the Program on Medicare Policy at KFF, a nonpartisan health care policy research, polling, and journalism group...

A new KFF report found that 12 states now offer only Medicare Advantage to their Medicare-eligible retirees, a 50% rise from 2016. The 12 states: Alabama, Arizona, Colorado, Connecticut, Georgia, Illinois, Kentucky, Maine, Missouri, New Hampshire, Pennsylvania, and West Virginia.

While only 21% of big employers offer health benefits to retirees (down from 66% in 1988), roughly two-thirds of large companies that offered retirees Medicare Advantage in 2023 didn't permit them to enroll in traditional Medicare, according to KFF. In 2022, just 44% of those firms allowed Medicare Advantage only...

Full story at https://fortune.com/well/article/medicare-advantage-retirement/.

Blog readers readers may recall that at one point UCOP seemed to be toying with the idea of switching those participants on retiree health care to Medicare Advantage as the only plan. After a fuss was kicked up when the planning was revealed, the decision was made simply to offer Medicare Advantage as a low-cost option and retain traditional Medicare supplements.

Below is UCLA Emeriti Association-Elect President Richard Weiss complaining to the Regents' Health Services Committee in 2019 about a proposed switch to Medicare Advantage only:



Or direct to https://www.youtube.com/watch?v=SXnNt4MwztY.
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*https://uclafacultyassociation.blogspot.com/2024/04/has-worm-turned.html.
See also https://uclafacultyassociation.blogspot.com/2021/11/what-happens-at-uc-if-medicare.html.

Posted by California Policy Issues at 7:01 AM No comments:  
Labels: health care, UC Regents, UCLA, UCOP

Health Data, Horses, and Carts



One of the topics to be taken up at tomorrow's meeting at UCLA of the Regents' Health Services Committee is "Promoting Strong Data Governance at UC Health." There is a lengthy report as part of the agenda that deals with such issues as use of patient data for research in an ethical manner. Issues of such matters as informed patient consent are included in the report. Of course, this is a worthy topic for the Regents to consider.

However, yours truly cannot help wondering if the question of cybersecurity is neglected. The biggest lapses with regard to patient data at the moment seem to occur through data breaches, either from the health insurers or from providers including UC. Nobody gives consent to those

breaches, informed or not. To be fair, there is brief reference to "data security" in the report. But putting the cart before the horse comes to mind.



You can find the Regents' agenda item at:

https://regents.universi.tyofcalifornia.edu/regmeet/june24/h4.pdf.

The lengthy report is at:

https://regents.universityofcalifornia.edu/regmeet/june24/h4attach1.pdf.

Posted by California Policy Issues at 2:00 AM No comments:  

Labels: health care, UC, UC Regents, UCLA

Monday, June 10, 2024

New Chancellor, Interim Chancellor to be Announced



No, I don't know who the new chancellor will be. For now it's a mystery. But the Regents have revised their schedule for Wednesday at UCLA. Originally, just the Health Services Committee was to meet at 10 AM. But now the full board will meet at 8:30 AM.

After public comments at 8:30, they will meet in closed session to name UCLA's new chancellor and an interim chancellor.* In other words, there will be a gap between when Chancellor Block leaves (July 31) and when the new person arrives.

There will then be an open session to unveil the names of both the new person and the interim person.

The Regents will then go back to closed session to discuss "collective bargaining matters." You can guess what that discussion will be about. Finally, Health Services will meet at 10 AM.

Source: https://regents.universityofcalifornia.edu/meetings/agendas/june122024.html.

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*Anyone who signed up for public comments at 10 AM - the time listed before the schedule change - should now plan to speak at 8:30 AM.

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NOTE: There will also be a special remote Regents meeting of the Committee on Nominations today behind closed doors to name Regents to the various standing committees.

Source: https://regents.universityofcalifornia.edu/regmeet/june24/june102024.pdf.

Posted by California Policy Issues at 4:15 AM No comments:   

Labels: health care, strikes, UC Regents, UCLA

The Forecast



UCLA Forecast: June 2024 Economic Outlook

Yours truly usually attends the UCLA Anderson Forecast but was in transit last Thursday when the June forecast was presented. But he was able to catch up via the YouTube/Zoom recording.

The forecast for the US and California didn't directly get into the state budget implications of projected economic trends. But the forecast is continuing to suggest a slowdown - not a recession - in 2024 and then a gradual pickup in the outer years. Of course, the outer years are dependent on a variety of noneconomic factors such as the outcome of the 2024 elections, developments in the Middle East, etc.

The current California slowdown reflects some sectoral issues such as reduced demand in Hollywood that take time to readjust to, and some of the tech layoffs that may be relieved more quickly due to AI-related investments now occurring.

Working out these processes suggest that the budget will be squeezed for the immediate future. Note, for example, that income taxes that are due in April 2025 will be based on economic conditions in 2024.

You can see the June forecast at the link below:



Or direct to https://www.youtube.com/watch?v=67v044aoqYg.

Posted by California Policy Issues at 2:30 AM No comments:  

Labels: State Budget, UCLA

Well, it ain't chickenfeed



The current budget bill in the legislature - AB 107 - has about $245 million more for UC in it for next year than the governor proposed in his May Revise, or about 5.3% more.

In a sense, that amount largely represents what would be the increase under the "compact" with the governor which the governor would effectively kill and replace with promises about making it up in the future.

That amount ain't chickenfeed. We'll see if it survives.

The budget bill can be found at:

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB107. Go to "text" and scroll down to *6440-001-0001—For support of University of California*.

Posted by California Policy Issues at 2:15 AM No comments: 

Labels: governor, legislature, politics, State Budget, UC budget crisis

Is It Always Right to Be Right?



Yours truly is in transit today. But recent events have reminded him of a short film entitled "*Is It Always Right to Be Right?*" from 1970 which won an Academy Award. The film might well serve as a background to yesterday's post on this blog about deferring Grand Principles in the interests of pragmatic solutions.

From The Hill: *On Vietnam Moratorium Day in 1969, UCLA professor Warren H. Schmidt sat down to do his morning writing. What flowed onto the paper was a parable he called "Is It Always Right to Be Right?" In it, he examined the divisiveness that was tearing our country apart in the '60s: the Counterculture versus the Establishment, the women's liberation movement, the civil rights movement, and of course, the war in Vietnam.*

Professor Schmidt's parable was published on the front page of the Sunday Opinion section of the Los Angeles Times on November 9, 1969. It was read far and wide across the country and Schmidt received fan mail from across the political spectrum - from Senator Ted Kennedy on the Left and Vice President Spiro Agnew on the Right - and everyone in between.

Several film producers sought the film rights to the parable and ultimately the project went to Steve Bosustow. He adapted it into a short mixed media film - narrated by Orson Welles - which won an Academy Award for "Best Short Film, Animation" in 1971...

Professor Schmidt died... on May 24, 2016 - at the age of 95...

Full story at https://www.huffpost.com/entry/dr-warren-h-schmidt-is-it_b_10243636.

You can see the film at the link below:



Or direct to https://www.youtube.com/watch?v=LbWCjQ5L0ZY.

Posted by California Policy Issues at 2:00 AM No comments:  

Labels: miscellaneous, UCLA

Sunday, June 9, 2024

On Hold



At the moment (Sunday, June 9, AM) everything seems to be on hold.

If the Regents have an anointed candidate for chancellor of UCLA after Gene Block retires at the end of next month, they aren't saying. If there were a candidate ready to go, presumably a special closed-door meeting of the Regents would have to be scheduled. None is listed on the Regents' website. All you will find there is the pre-scheduled meeting of the Health Services Committee this coming Wednesday.

A peek at UAW 4811's tweets finds them unchanged since the initial reaction to the court decision temporarily enjoining the strike. No hints of whether there will be an appeal or some other response.

The Daily Cal seems to suggest that the strike will be discontinued:

...According to UAW Local 4811 Academic Student Employee Statewide Chair Tanzil Chowdhury, UAW members at UC Berkeley currently do not have plans to continue striking.

The union is still discussing its next steps among members.

Full story at https://www.dailycal.org/news/campus/administration/state-court-grants-temporary-restraining-order-against-uc-uaw-union-to-halt-strike-activity/article_c9264b50-25c7-11ef-b92c-9b43c0ae6e9c.html.

Posted by California Policy Issues at 6:05 AM No comments:

Labels: health care, strikes, UC Regents, UCLA

Stanford Goes Back to Testing



From the San Francisco Chronicle:

In a turnabout, Stanford University announced Friday that it will again require undergraduate applicants to submit an admissions exam — either the SAT or the ACT — beginning with students entering in fall 2026. Stanford stopped requiring the exam in 2020, as did hundreds of colleges across the country as the escalating pandemic made it difficult for applicants to take the test. Many campuses, including Stanford, said they would reevaluate the new SAT-free system at some point.

Other highly competitive schools have already begun bringing back the admissions requirements, including Harvard and the California Institute of Technology, which announced the change this year. Yale is also bringing back the admissions exams, but it will allow students to submit advanced placement tests or International Baccalaureate exam results in lieu of the SAT or ACT...

Stanford's pause of the admissions tests also coincided with a national backlash against the tests that had already begun, including at the University of California, where low-income students of color won a lawsuit against UC in 2020 that outlawed the tests as biased in favor of wealthier students in a variety of ways. The judge in that case also barred UC from making the tests optional. That ruling holds, four years later.

UC "has ended use of standardized tests in freshman admissions for the foreseeable future," Ryan King, a university spokesperson, told the Chronicle Friday, noting that the public university's situation is different from that of elite, private universities...

Full story at https://www.sfchronicle.com/bayarea/article/stanford-require-standardized-tests-admission-19503338.php.

The UC Regents, as blog readers will recall, rejected the Academic Senate's position on the use of the SAT. Hence, UC did not object to the court decision referenced above. But nothing is forever.

Posted by California Policy Issues at 2:30 AM No comments:

Labels: CalTech, Harvard, politics, Stanford, UC, Yale

There is a way to settle the current strike



The current student-worker strike seems intractable, as we have noted in prior posts. Both parties have positions - Grand Principles - that seem mutually exclusive. Both seem to be focused on legalism. Maybe PERB will somehow resolve the dispute. But legal remedies are at best slow. And they can be appealed, including Friday's court decision. Both PERB and courts worry about precedent. Decisions that might "work" in this case could create problems in the future when other unrelated disputes end up in the legal process. So the legal process may not lead to desirable outcomes for either party.

From the UC administration's perspective, the fundamental issue is the no-strike clauses it signed and the idea that a deal is a deal and that the deal was that during the life of the contracts, there would be no strikes. Period! UC is undoubtedly happy with the Friday court decision, although whether that will be the final word is uncertain. Strikes can continue unofficially. Appeals are possible, etc.

The union's stance is that there is an exception to adherence to the no-strike concept when an unfair labor practice has occurred. Of course, the union's position is that there was an unfair labor practice. Period!

Whereas the union views the use of police and arrests as a workplace issue about which UC was obligated to bargain, UC administration sees the matter as outside the scope of bargaining and political.

These are all Grand Principles that are hard to compromise. As we have noted before, unlike, say, a pay increase, it is difficult to split the difference and reach a mutually satisfactory solution. So the only remedy seems to be the legal system in which one side will eventually "win," i.e., have its Grand Principles validated. The problem here is - as we keep noting - the legal system is uncertain. And it could lead to decisions which muddy the waters rather than clarify them.

So, what to do? Let's note that the union, even if it believes it doesn't have to rely on the no-strike clause and use grievance and arbitration processes to resolve the dispute, it could

voluntarily agree to do so, reserving the view that its action was not legally reguired. UC administration could *voluntarily* participate in the process without a PERB or court decision stating it was required. In short, both parties could put the issue of legal requirements aside. They could also put aside the question of whether either side had committed an unfair labor practice. They could put aside their Grand Principles.

Another thing both parties could voluntarily do is agree that whatever decision might be reached through voluntary use of the grievance and arbitration process would be both binding AND *non-precedential*. Thus, Grand Principles would not be violated. That is, a neutral arbitrator could make a decision for *this contract period only* that would be binding but would not apply as a precedent in future contracts. That would allow the parties at some future date when the current contracts expired to address issues of when no-strike clauses apply or do not apply through negotiations. Resolution of conflicting Grand Principles could be deferred for now.

If the parties were to agree to such an arrangement, they could voluntarily withdraw their various filings with PERB and the courts. The issue of decisions and appeals would then be moot.

You can imagine variations of what is outlined above, so long as the parties voluntarily agreed to the non-precedential process and agreed to set aside the pursuit of legal remedies. They could postpone their seemingly mutually exclusive positions for resolution through bargaining at a later date. In short, Grand Principles could be put off to the future for a decision.

Are the parties at this point ready to consider departing from their current approaches? Maybe not yet. And maybe they will want the dispute to drag on with strikes (perhaps unofficial), disruptions, PERB filings and court filings for some time to come. This type of deal depends on both parties arriving at a point where they want a way out of that approach. But as time passes, perhaps the willingness to consider alternatives will increase.

Posted by California Policy Issues at 2:00 AM No comments:

Labels: strikes, UC

Saturday, June 8, 2024

Strike News - Part 3

A court decision has ordered the current student-worker strike to halt. Whether the union will comply or appeal is unclear. From the LA Times:

An Orange County judge Friday ordered the union *representing UC academic workers to halt its strike at six campuses, ruling the walkout appeared to be causing "damage to students' education" during the critical end of the term when finals are taken. Orange County Superior Court Judge Randall J. Sherman said the University of California had made its case for a temporary restraining order to stop the strike, which the university contended was causing "irreparable harm" to students and university operations. The next hearing on the case was scheduled for June 27, which could effectively end the walkout that was approved by union*



membership through June 30. Sherman alluded to that fact at the end of a roughly hourlong hearing, telling both sides to notify the court if "the strike will expire on its own terms." ...

Union President Rafael Jaime, a doctoral student in literature at UCLA, alluded to those losses by the university system in a statement Friday, saying workers were "ready for a long fight."...

Some union members Friday said they would consider potentially ignoring the judge's order...

Full story at https://www.latimes.com/california/story/2024-06-07/uc-seeks-to-halt-strike-takes-academic-workers-to-court.

The union in various tweets seems to reject the ruling but has not said yet whether it will appeal or what action it might take. Undoubtedly, consultations with attorneys are going on. From the tweets:

Despite UC's latest attempt to avoid accountability, let's be clear: this struggle is far from over. After two failed injunction requests with PERB, UC has convinced an Orange County Superior Court judge to order UAW Local 4811 to halt our lawful unfair labor practice strike until June 27th. Having twice failed to secure an injunction from the Public Employment Relations Board (PERB), the university today succeeded in their search for a more favorable outcome. The law is on our side and we're prepared to keep defending our rights.

Source: https://x.com/uaw_4811/status/1799247366496887229.

UC issued this statement:

Court orders UAW strike to end across UC campuses

UC Office of the President June 7, 2024

A Superior Court judge today (June 7) granted a temporary restraining order to the University of California, temporarily halting the illegal systemwide strike by UAW-represented employees across campuses.

The action comes after UC filed a lawsuit and requested injunctive relief Tuesday against UAW for breach of contract. UC and UAW have collective bargaining agreements that each have no-strike clauses. UAW-represented UC employees began striking on May 20 at UC Santa Cruz and the strike has expanded to six of the 10 systemwide campuses.

"We are extremely grateful for a pause in this strike so our students can complete their academic studies. The strike would have caused irreversible setbacks to students' academic achievements and may have stalled critical research projects in the final quarter," said Melissa Matella, associate vice president for Systemwide Labor Relations.

"From the beginning, we have stated this strike was illegal and a violation of our contracts' mutually agreed upon no-strike clauses," Matella added. "We respect the advocacy and progressive action towards issues that matter to our community and our community's right to engage in lawful free speech activities — activities that continue to occur across the system. However, UAW's strike is unrelated to employment terms, violates the parties' agreements, and runs contrary to established labor principles."

While this is an important victory critical to support student success, the University will continue to pursue its legal claims in state court and PERB to protect labor peace across the system.

Source: https://www.universityofcalifornia.edu/press-room/court-orders-uaw-strike-end-across-uc-campuses.

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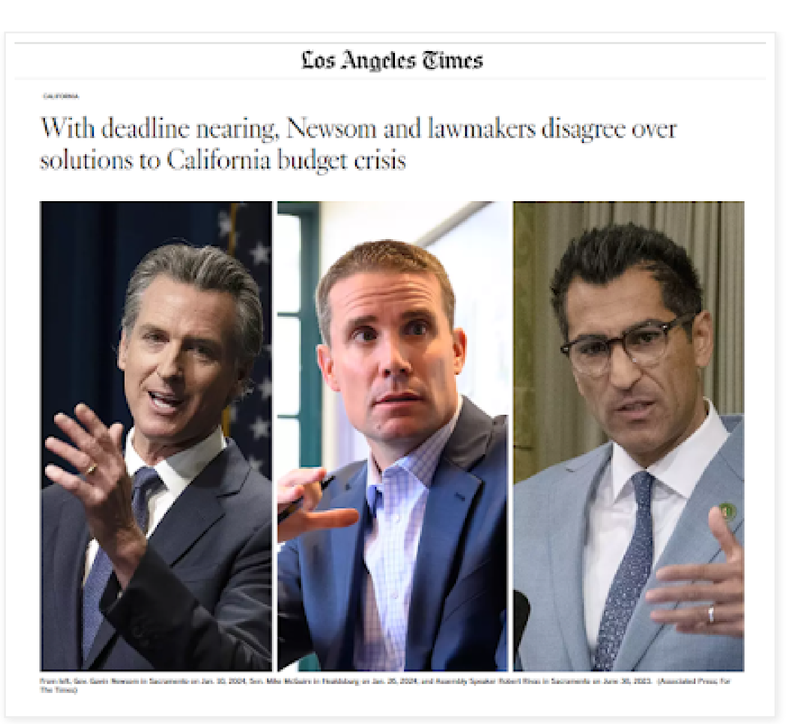
The temporary restraining order is at https://ia600402.us.archive.org/9/items/2-final-hjaa-report.-the-soil-beneath-the-encampments/Temp%20Restraining%20Order%20on%20strike%206-7-2024.pdf.

Posted by California Policy Issues at 6:44 AM No comments:

Labels: strikes, UC

That was then - This is now




Los Angeles Times

With deadline nearing, Newsom and lawmakers disagree over solutions to California budget crisis

In the good old days when there was revenue gushing into the state treasury, it was easy to make budget deals. But that was then and this is now. As the headline says, there is a deadline for the legislature to enact a budget or, under the state constitution, its members won't be paid. However, thanks to court decisions, the deadline doesn't quite mean what it might. The legislature has only to enact something it calls a budget. The governor doesn't have to sign it to avoid a penalty. Effectively, negotiations can continue after the deadline. We will see what happens. Meanwhile, UC is something of a flea on the back of an elephant in all of this. You can read the LA Times account at:

https://www.latimes.com/california/story/2024-06-05/newsom-california-democrats-legislature-budget-deficit-disagreements.

The key point to note is that the various issues in the piece do not include UC.

Posted by California Policy Issues at 2:30 AM No comments:

Labels: governor, legislature, politics, State Budget, UC budget crisis

The PERB Deflection

Yours truly, you may have guessed, is currently in transit so lighter blogging will be the order of the day.

We have been discussing PERB and its role, as per yesterday's post. Yours truly has been collecting documents as the parties release them. One thing he has noticed is that there is a

deflection going on at PERB. From UC administration's perspective, the key issues are the no-strike clause and violations thereof and the argument that the current strike is basically about political goals outside the scope of bargaining.



But when PERB issued a complaint in response to UC's filing - not the same is a final decision - against the UAW, it really didn't deal with those matters. It said instead that the UAW went on strike without first bargaining in good faith. There is some irony here. If the UAW had offered to bargain, UC would have refused since bargaining would have tacitly conceded UC's two key talking points. In effect, therefore, PERB focused on an issue that neither party would say was at the heart of the dispute.

There is an incentive for PERB to decide as little as possible. As we noted yesterday, PERB is really not a dispute-settling agency. It doesn't want to be a dispute-settling agency. It is a legal decision agency and its decisions set precedents for future cases that may involve other parties in completely different disputes. So don't look to PERB to resolve issues it doesn't have to. (Particularly, don't look to PERB to solve the situation in the Middle East.)

On Sunday, we'll suggest a route to settling the current dispute that avoids PERB, the courts, and legalism more generally.

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For those with a legal bent, as noted above, we have collected some recent documents connected to the current strike, as the parties release them:

No strike clause
https://ia600402.us.archive.org/9/items/2-final-hjaa-report.-the-soil-beneath-the-encampments/No-strike%20clause_2019-2022_15.pdf

UAW ULP charge
https://ia600402.us.archive.org/9/items/2-final-hjaa-report.-the-soil-beneath-the-encampments/PERB%20Unfair%20Labor%20Practice%20Charges%20Amended%205_17.pdf

PERB complaint against UAW
https://ia800402.us.archive.org/9/items/2-final-hjaa-report.-the-soil-beneath-the-encampments/PERB%20complaint%20against%20UAW%204811%205-23-24.pdf

UC response to ULP charge by UAW
https://ia600402.us.archive.org/9/items/2-final-hjaa-report.-the-soil-beneath-the-encampments/UC%20response%20to%20ULP%20charge%20by%20UAW%204811%205-31-


24.pdf

UC announces it will file breach of contract suit
https://ia800402.us.archive.org/9/items/2-final-hjaa-report.-the-soil-beneath-the-encampments/UC%20will%20file%20breach%20of%20contract%20against%20UAW%204811%206-3-24.pdf

UC lawsuit against UAW:
https://ia600402.us.archive.org/9/items/2-final-hjaa-report.-the-soil-beneath-the-encampments/UC%20lawsuit%20against%20UAW%206-4-2024.pdf

Jewish students v UCLA:
https://ia800402.us.archive.org/9/items/2-final-hjaa-report.-the-soil-beneath-the-encampments/Jewish%20students%20v%20UCLA%206-5-2024.pdf

Item J1 Pending Regents' resolution on dept. political statements:
https://ia600402.us.archive.org/9/items/2-final-hjaa-report.-the-soil-beneath-the-encampments/J1%20UC%20Regents%20dept%20political%20statements.pdf

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Finally, the LA Times published a piece on the current campus climate at UCLA, given recent events:

https://www.latimes.com/california/story/2024-06-04/ucla-after-protests-uc-strike-stokes-tension-anxiety.

Posted by California Policy Issues at 2:00 AM No comments:

Labels: politics, strikes, UC

Friday, June 7, 2024

State Supreme Court Clears Way for People's Park Project

From the LA Times: *The California Supreme Court on Thursday ruled that UC Berkeley can proceed with its controversial plan to build high-rise student housing on the site of storied People's Park just south of the college campus. In a unanimous opinion authored by Chief Justice Patricia Guerrero, the court overturned an appellate court ruling and dismissed a lawsuit filed by opponents of the development, writing: "In short, as all parties have effectively acknowledged, this lawsuit poses no obstacle to the development of the People's Park housing project."*

"We are pleased and relieved that the Supreme Court's decision enables the campus to resume construction at People's Park," UC Berkeley officials said in a prepared statement. "The housing components of the project are desperately needed by our students and unhoused people, and

the entire community will benefit from the fact that more than 60% of the 2.8-acre site will be revitalized as open park space."

The statement said details on the construction timeline would be released in the weeks ahead...

Full story https://www.latimes.com/california/story/2024-06-06/california-supreme-court-approves-uc-berkeley-peoples-park-development.

The case largely turned on local objections to "social noise" students might make which the court rejected based on a special legislative enactment. So that settles that. Or does it?

The decision is at: https://www.courts.ca.gov/opinions/documents/S279242.PDF.

Posted by California Policy Issues at 5:06 AM No comments:   

Labels: UC-Berkeley

Whose Headline? UC's Headline

Los Angeles Times

UC workers strike blends traditional labor stoppage with pro-Palestinian fervor

As we have noted in prior postings on this blog, PERB has yet to resolve the issue, if it ever does, as to the legality of the current student-worker strike. There are charges and countercharges now filed with PERB.*

PERB, however, is not generally in the mediating business, the arbitrating business, or the dispute settling business. It is in the legalities business, generally a slow moving process with layers and appeals.

But the essence of the legality issue is whether the union was bound by its no-strike clauses to settle any dispute it had with the university via grievance and arbitration processes, or whether its claim that there is an unfair labor practice at the heart of the strike overrides the use of those processes.

As we have noted, were PERB to rule the strike was illegal, the union could potentially be liable for monetary damages related to the cost inflicted on the university.** UC's view is that the strike is for political ends, i.e., a view conveyed by the LA Times headline earlier this week on the image above. There are the policing costs which are hard to pin down as we noted in a prior post. There could be loss of patient revenues in the tally where the medical complex is concerned, also hard to pin down since some appointments are rescheduled. Apparently, there were some cancelled appointments and possibly overtime for delayed appointments due to demonstrations such as the one below:



Or direct to https://ia600408.us.archive.org/27/items/newsom-4-3-24-snow-survey/UCLA%20Protest%20Medical%20Area%2006-03-2024.mp4.

Since the strike has an end date of June 30, UC may have decided to run the clock and then let litigation take its course. Of course, that approach means graduations could be disrupted. We'll say more about all of this tomorrow - Saturday - including a suggestion that PERB can be expected to do its best not deal with the central issues of the dispute.

But don't despair. On Sunday, we'll suggest a way out of legalism and toward settlement once the parties come to the view that the current approach is not likely to be productive.

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*The Faculty Assn. has also filed charges:

https://ia800402.us.archive.org/9/items/2-final-hjaa-report.-the-soil-beneath-the-encampments/UCLA-FA-ULP%206-3-24.pdf. Much of the filing is an assemblage of documents already in evidence. Suffice it to say, the FA did not consult with yours truly in putting the filing together. Yours truly notes that some of the assembled documents present a viewpoint he does not share. PERB is not a forum for settling the problems of the Middle East. It is also an unlikely forum for defining academic freedom. As the discussions at the Legislative Assembly of the

resolutions concerning Chancellor Block revealed, there is a wide range of views in the faculty concerning these matters.

**UC's lawsuit against the UAW was filed on June 4. It appears at this point to be a placeholder, documenting various forms of disruption, etc., resulting from the strike without placing a particular monetary value on the various examples. The suit could be amended as the litigation progresses, if it does. You can find the lawsuit at:

https://ucnet.universityofcalifornia.edu/wp-content/uploads/2024/06/2024-06-04-2729-xUC-filing_2.pdf.

Yours truly has been downloading documents related to recent events since original web posting may disappear. You can find a backup copy at:

https://ia600402.us.archive.org/9/items/2-final-hjaa-report.-the-soil-beneath-the-encampments/UC%20lawsuit%20against%20UAW%206-4-2024.pdf.

Posted by California Policy Issues at 2:00 AM No comments:   

Labels: strikes, UC

Thursday, June 6, 2024

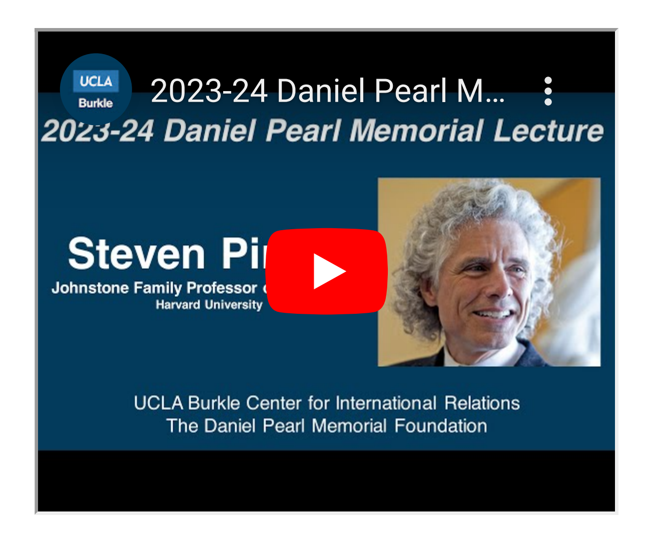
Rationality



Yours truly is currently traveling. So light blogging today. But in case you missed it, Prof. Steven Pinker of Harvard gave the annual Daniel Pearl lecture recently sponsored by the UCLA Burkle Center. His topic:

"Rationality: What It Is, Why It Seems Scarce, Why It Matters"

It is now available on video:



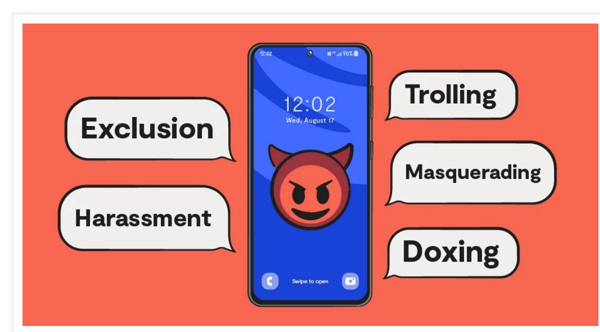
Or direct to https://www.youtube.com/watch?v=YU2VmNyxDs4.

Posted by California Policy Issues at 2:30 AM No comments:

Labels: miscellaneous, UCLA

Online Harassment

You may have received an email from the UCLA Chief Information Officer concerning online harassment and related issues. Summary:



• *Safeguarding our Bruin community from digital threats is a priority for the university*

• *The rise in reported online harassment cases threatens our community, putting Bruins at greater potential risk of emotional distress and digital disruptions*

• *The Information Security Office has established a dedicated resource to help you Protect Against Online Harassment and reduce your susceptibility to digital threats*

• *The UC Identity Theft Protection service is now freely available to all faculty and staff and includes the Digital Identity Manager feature, which can help cleanse your online data collected and sold by various online data brokers*

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More detail at https://ociso.ucla.edu/online-harassment
and https://ucnet.universityofcalifornia.edu/benefits/home-family/identity-theft-protection/.

Posted by California Policy Issues at 2:00 AM No comments:  

Labels: email fraud, UCLA

Wednesday, June 5, 2024

Seems like a big lawsuit is coming



The story below has all the makings of a Heaps-type lawsuit in the works. As blog readers will recall, Heaps was a UCLA gynecologist convicted of various sexual assaults on patients. Ultimately, vast sums were paid out. From the Bruin:

A former UCLA early child care education [ECE] teacher was charged with multiple counts of sexual battery, false imprisonment, battery on a person, cruelty to a child and sexual penetration by a foreign object Tuesday. The Los Angeles City Attorney's office filed the charges Tuesday against Christopher Rodriguez – who worked in various UCLA ECE centers, including the Krieger Center and University Village, for nearly 25 years. He had additional criminal charges added after another child victim reported an account of alleged inappropriate sexual touching in a UCLA ECE classroom. The UCLA ECE centers provide care for children ages two months to six years for UCLA-affiliated families.

Rodriguez was previously charged in February with five misdemeanor charges, including sexual battery, false imprisonment and willful cruelty to a child, following a UCPD investigation. UCLA placed Rodriguez on academic leave in December following a Title IX investigation into the alleged crimes. "Unfortunately these charges—while serious—do not begin to capture the extent of the abuse Rodriguez committed against his 3 and 4-year-old students over the course of his 20+ year tenure at UCLA's Early Care and Education centers," said Danielle De Smeth, an attorney representing child care abuse victims at UCLA, in a press release.

UCPD did not respond to requests for comment.

A parent of a student at UCLA ECE, who was granted anonymity to keep his daughter's identity private, told the Daily Bruin that he wasn't sure if every UCLA child care center has accreditation. The Daily Bruin acquired multiple emails dating back to 2018 between the parent and the National Association for the Education of Young Children. "Our records indicate this program was not accredited by NAEYC in 2018," NAEYC Quality Assurance said in an email to

the parent Feb. 29. “Program is still not NAEYC accredited.” However, UCLA ECE claims to be accredited on their website.

A spokesperson for UCLA did not respond to requests for comment...

Full story at https://dailybruin.com/2024/05/31/former-ucla-child-care-teacher-charged-with-sexual-battery-cruelty-to-a-child.

ECE sent out the announcement below:

Update for the ECE Community

May 30, 2024

On May 28, 2024, the L.A. City Attorney filed an additional misdemeanor charge (see FAQ) against Christopher Rodriguez in connection with an additional victim. (If you would like more information about the criminal case proceedings, please contact the Superior Court of California, County of Los Angeles(link is external).)

Mr. Rodriguez remains barred from entering the UCLA campus and ECE facilities and from contacting any families or employees at ECE.

This situation continues to be deeply concerning and upsetting to our entire ECE community. We extend our most heartfelt compassion to those directly involved and any member of our community who is experiencing distress caused by this situation. Please know: UCLA and the ECE administration are here to support you. If you have any questions or concerns, please reach out to us at ece@ece.ucla.edu(link sends email), UCPD at 310.825.1491, or RAINN’s national sexual assault hotline at 800.656.4673.

Protecting the well-being of children in our care is our utmost priority. ECE has undertaken several measures to address safety and security. We continue to assess and closely monitor the situation, as well as work with UCPD to monitor and enance security measures in response. We are steadfast in our resolve to ensure the safety of all children in our care.

We do not tolerate any form of inappropriate behavior at ECE. If you are or become aware of similar allegations, please inform us immediately and report them to one or more of the following agencies:

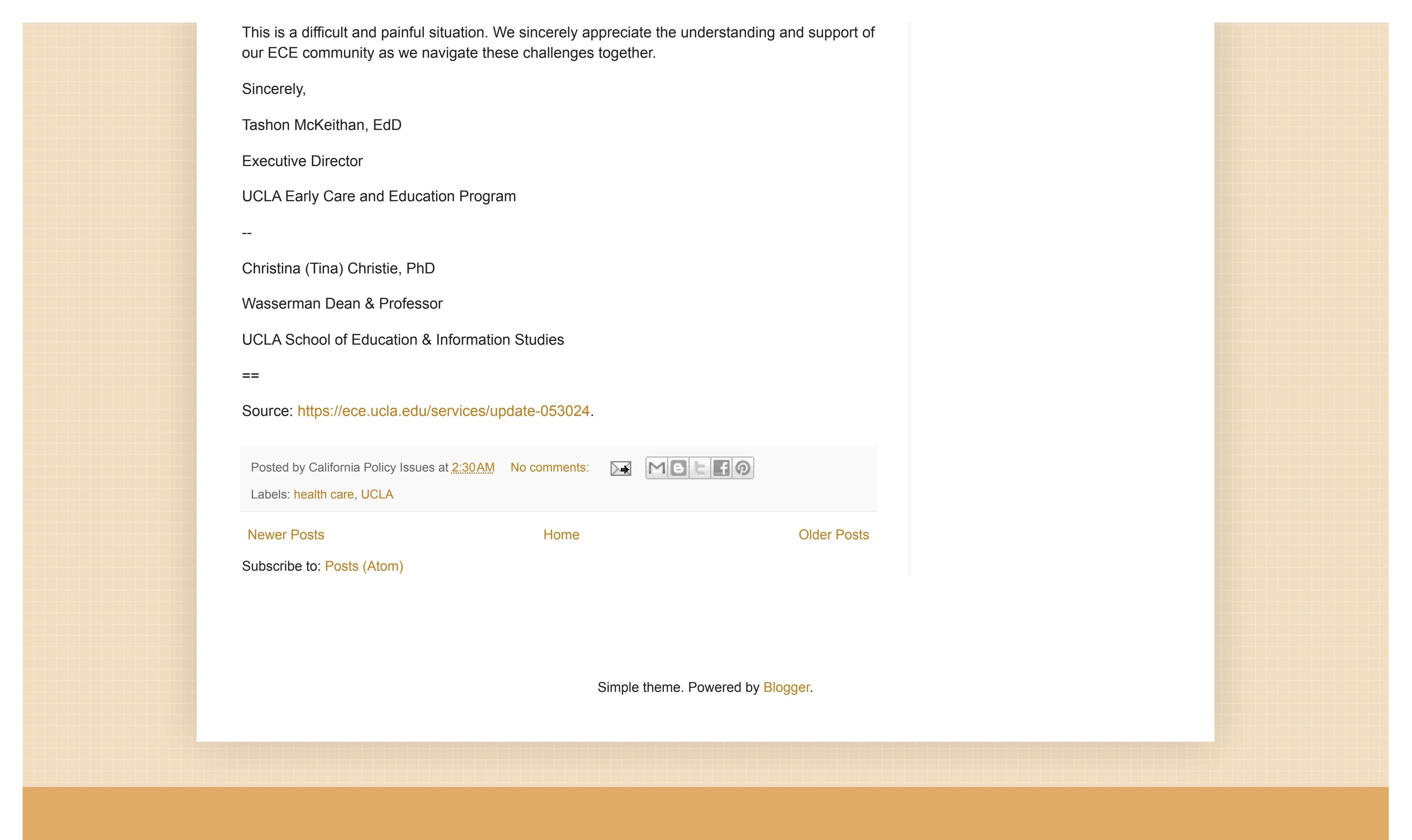
UCLA Police Department: 310.825.1491

Los Angeles County Child Protection Hotline: 800.540.4000

Los Angeles Police Department Juvenile Division/Abused Child Unit: 213.486.0570

We will continue to update the ECE website with the latest information, messages, available resources and answers to frequently asked questions. While we value and honor our commitment to an open and honest community, the sensitive nature of this situation limits what we can share. We also appreciate your respect for the privacy of the individuals involved.





This is a difficult and painful situation. We sincerely appreciate the understanding and support of our ECE community as we navigate these challenges together.

Sincerely,

Tashon McKeithan, EdD

Executive Director

UCLA Early Care and Education Program

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Christina (Tina) Christie, PhD

Wasserman Dean & Professor

UCLA School of Education & Information Studies

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Source: https://ece.ucla.edu/services/update-053024.

Posted by California Policy Issues at 2:30 AM No comments:

Labels: health care, UCLA